



**SFPP, L.P.**

Operating Partnership

February 21, 2005

Ms. Kelly Dorsey  
RWQCB, San Diego Region  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123-4340

Subject: Comments on Tentative Addendum 5 to CAO 92-01  
Mission Valley Terminal  
RWQCB Reference: TSMC:40-0054.02:dorsk

Dear Ms. Dorsey:

SFPP, L.P., an operating partner of Kinder Morgan Energy Partners, L.P. (Kinder Morgan), is respectfully submitting comments on the tentative Addendum 5 to Abatement and Cleanup Order No. 92-01 (Tentative CAO) for the Mission Valley Terminal (Terminal).

Kinder Morgan's remedial actions and plans are structured to comply with the requirements of the Tentative CAO. Additionally, Kinder Morgan and the City have agreed to certain remedial actions as described in our Summary of Understanding for the off-Terminal cleanup efforts. Any requirements of the Summary of Understanding not contained in the Tentative CAO will also be fulfilled by Kinder Morgan.

Specific items in the Tentative CAO Kinder Morgan has comment on are:

**Finding 5, Page 1 and Directive 10, Page 4** – Kinder Morgan requests the RWQCB's requirement to report all releases of pollutants from facilities that contain, store, and/or convey petroleum fuel products, wastes, liquids, or vapors be consistent with our current applicable reporting requirements. Releases are reported to the National Response Center and the California Office of Emergency Services based on quantity, typically one barrel (42 gallons) of oil or petroleum product, after Kinder Morgan becomes aware of the release.

**Directive 4, Page 3** – Kinder Morgan is requesting clarification from the RWQCB that the Technical Report required in this directive is for the on-Terminal portion of the cleanup only. Additionally, we are requesting the tentative date for the Technical Report be changed from September 9, 2005 to March 31, 2006 so that we may focus our efforts on cleanup of the off-Terminal area in 2005. We will also be able to utilize the data gathered from our off-Terminal cleanup to assist us in developing a cleanup plan for the on-Terminal area.

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**Monitoring and Reporting Program, Quarterly Groundwater Monitoring Reports, Remediation Report, d.1., Page 5** – Kinder Morgan is responsible for cleanup and quarterly reporting of the existing contamination and for reporting and remediating any new releases from its operation. However, there are other companies operating at the Terminal (ExxonMobil and Shell) that are responsible for reporting and remediating any new release from their operations and facilities. Kinder Morgan can only report releases and mitigation efforts it is aware of.

Thank you for consideration of our comments. Please contact me at (303) 914-7813 if you have any questions or require additional information.

Sincerely,



Kevin J. Ryan  
Sr. Project Manager, Remediation

cc: Grace Lowenberg, City of San Diego  
Ted Olson, City of San Diego  
M. Barranco, CENCO-Powerine Oil Co.  
S. Pao, ExxonMobil Oil Corp.  
G. Freed, Shell Oil Products US  
Nancy Van Burgel, Kinder Morgan  
Scott Martin, LFR